

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO.: 00-6309-CR-DIMITROULEAS

MARK WEISS,

Magistrate Judge Garber

Defendant.

**DEFENDANT'S MOTION FOR PERMISSION TO TRAVEL**

COMES NOW the Defendant MARK WEISS by and through his undersigned counsel and moves this Court for the entry of an order so as to allow him to travel to Grenada, Nicaragua so that he may marry his fiancée and as grounds therefore would state as follows:

1. That on or about October 26, 2000 the defendant along with numerous other individuals was arrested as a result of a federal grand jury in this case returning an indictment at Ft. Lauderdale.

2. That as a result of an agreement with the Government also on October 26, 2000, the defendant was released on a \$100,000 personal surety bond. The agreement was ratified by the Court per U.S. Magistrate Judge Barry S. Seltzer in Ft. Lauderdale.

3. One of the conditions of the Defendant's bond that was imposed by Magistrate Judge Seltzer was that the Defendant's travel is restricted to the Southern District of Florida.

4. On July 24, 2002, this Court sentenced the defendant to four (4) months of

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house arrest as a special condition of the defendant's probationary sentence. The defendant commenced his home confinement on August 7, 2002 fully satisfied that condition of his sentence as of early December 2002.

5. While the defendant was on bond and house arrest for more than two years and he has not been able to travel internationally.

6. The defendant is and has been engaged to a former resident of Nicaragua and wishes to travel to Grenada, Nicaragua from February 12 through and including February 17, 2003 in order that he can marry his fiancée.

7. While in Grenada, Nicaragua the Defendant will be staying with his future in-laws whose residence is located at Calle Corrales de los Bomdeus 175, Baras al Lago in Grenada, Nicaragua and he may be reached at (011) 505-552-5572.

8. During the Defendant's pretrial release period of twenty-one months he did not violate any of this Court's bond conditions. In addition, he has not violate any of the conditions of his four months of house arrest nor any conditions of the probationary portion of his sentence.

9. On January 2, 2003, the undersigned spoke with Mr. Francisco Padron at United States Probation Office in Miami regarding his position on this matter and Mr. Padron has no objection to the granting of this motion.

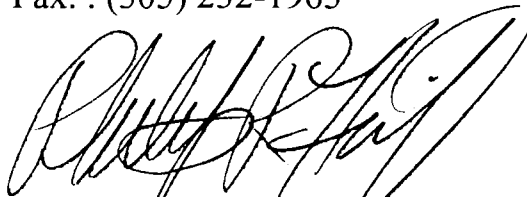
10. Pursuant to Local Rule 88.9 the attempted to speak with Assistant United States Attorney Brian McCormick on January 2, 2003 however he is on extended leave. Contact then was attempted with Assistant United States Attorney Paul Schwartz and he was unavailable and a voice mail message was left.

WHEREFORE, the Defendant MARK WEISS respectfully requests that this Court enter allowing him to travel to Grenada, Nicaragua to get married.

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 3<sup>rd</sup> day of January 2003 to: J. Brian McCormick, Esquire, Assistant United States Attorney, 500 East Broward Boulevard, Suite #700, Ft. Lauderdale, Florida 33301 and to MR. FRANCISCO PADRON, United States Probation Officer, 10300 Sunset Drive, Suite #351, Miami, Florida 33173.

Respectfully submitted,

LAW OFFICES OF PHILIP R. HOROWITZ  
Attorney for Defendant WEISS  
Suite #1910 - Two Datan Center  
9130 South Dadeland Boulevard  
Miami, Florida 33156  
Tel.: (305) 232-1949  
Fax. : (305) 232-1963

A handwritten signature in black ink, appearing to read 'Philip R. Horowitz', written over a horizontal line.

By: PHILIP R. HOROWITZ, ESQUIRE  
Florida Bar No.: 466557